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11 Attorneys for Defendants
12 CITY AND COUNTY OF SAN FRANCISCO,
13 GREGORY SKAUG, MILEN BANEGAS and
14 THEODORE POLOVINA

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17 UNITED STATES DISTRICT COURT
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19 NORTHERN DISTRICT OF CALIFORNIA

20 D'PARIS CHARLES WILLIAMS, an
individual,

21 Plaintiff,

22 vs.

23 CITY OF SAN FRANCISCO, a municipal
corporation; GREGORY SKAUG, individually
and in his capacity as an officer for the SAN
FRANCISCO Police Department; MILEN
BANEGAS, individually and in his capacity as
an officer for the SAN FRANCISCO Police
Department; THEODORE POLOVINA
individually and in his capacity as an officer
for the SAN FRANCISCO Police Department;
DOES, 1-25, inclusive, individually and in
their capacities as officers for the SAN
FRANCISCO Police Department,

24 Defendants.

25 Case No. 14-cv-05612-SC

26 STIPULATION AND [PROPOSED] ORDER
CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE FROM
APRIL 3, 2015 TO MAY 1, 2015

27 Conference Date: April 3, 2015
Conference Time: 10:00 a.m.
Judge: Hon. Samuel Conti
Courtroom: Courtroom 1, 17th floor,
450 Golden Gate Avenue
San Francisco
28 Trial Date: Not set

29 STIPULATED REQUEST FOR ORDER CHANGING TIME

30 The current initial case management conference is set for Friday April 3, 2015 at 10:00 a.m.

31 The parties hereby stipulate to a request for an order continuing the initial case management

1 conference to Friday May 1, 2015 at 10:00 a.m., and likewise continuing the pre-case management
2 conference deadlines based on the new case management conference date.

3 In addition, the Court recently found the case *Orlando Rodriguez v. City of San Francisco, et*
4 *al.*, Case No. C 14-05613 SC related to this case (Doc. 18, filed March 10), and reassigned *Rodriguez*
5 to the Honorable Samuel Conti. The Court's order vacated the existing initial case management
6 conference date in *Rodriguez*, but a new initial case management conference has not yet been
7 scheduled. The parties accordingly request that the initial case management conferences in both
8 related cases be set for May 1, 2015 at 10:00 a.m. The parties are separately filing a stipulated request
9 for an order setting the initial case management conference in *Rodriguez* for the same date and time as
10 the parties presently request for *Williams*, Friday May 1, 2015 at 10:00 a.m.

11 The parties respectfully request that the above stipulation be entered as the Court's Order.

12 **IT IS SO STIPULATED.**

13 Dated: March 12, 2015

14 DENNIS J. HERRERA
15 City Attorney
16 CHERYL ADAMS
17 Chief Trial Deputy
PETER J. KEITH
Deputy City Attorney

18 By: /s/ Peter J. Keith
19 PETER J. KEITH

20 Attorneys for Defendants
21 CITY AND COUNTY OF SAN FRANCISCO,
GREGORY SKAUG, MILEN BANEGAS AND
THEODORE POLOVINA

22 Dated: March 12, 2015

23 THE LAW OFFICES OF JOHN L. BURRIS

24 By: **/s/ DeWitt M. Lacy
25 DEWITT M. LACY, Esq.

26 Attorneys for Plaintiff
D'PARIS CHARLES WILLIAMS
27 **Pursuant to Civil L.R. 5-1(i)(3), the electronic
signatory has obtained approval from this signatory.

DECLARATION IN SUPPORT OF STIPULATED REQUEST FOR ORDER CHANGING TIME

I, Peter J. Keith declare as follows:

1. I am a Deputy City Attorney in the Office of the San Francisco City Attorney, counsel of record to Defendants City and County of San Francisco Gregory Skaug, Milen Banegas and Theodore Polovina, in the above action. I am also counsel of record to the defendants in the action *Orlando Rodriguez v. City of San Francisco, et al.*, Case No. C 14-05613 SC, which the Court found related to this case (Doc. 18). I have personal knowledge of the contents of this declaration, except where indicated otherwise, and I could and would testify competently thereto if called upon to do so.

2. Rule 6-2(a)(1), reasons for requested continuance. I am lead counsel for defendants in this case, but I am also counsel of record in *City and County of San Francisco et al. v. Teresa Sheehan*, U.S. Supreme Court Case No. 13-1412, which is set for oral argument in the United States Supreme Court on March 23, 2015. Because of commitments arising from that Supreme Court case which cannot be postponed, I do not have the necessary time to devote to this case under the current case management deadlines to gather materials necessary to make full and complete initial disclosures, or to formulate a discovery plan and reach agreement regarding case deadlines. In addition, I have a medical procedure which had to be postponed for several months until after the March 23, 2015 Supreme Court argument, and I will be undergoing that procedure and recovering from it through mid-April 2015. Finally, lead counsel for Plaintiffs Mr. Lacy informs me that he has a pre-planned vacation scheduled for April 3.

3. Rule 6-2(a)(2), previous time modifications. By stipulation the parties extended the time to file an Answer from February 25 to March 18. There have been no other time modifications.

4. Rule 6-2(a)(3), effect of the proposed modification on the schedule for the case. Other than continuing the dates associated with the initial case management conference, the requested continuance is not expected to affect any other deadlines or the parties' requested trial dates.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed March 12, 2015 at San Francisco, California.

/s/ Peter J. Keith
PETER J. KEITH

[proposed order on following page]

1 **[PROPOSED] ORDER**

2 **PURSUANT TO STIPULATION AND GOOD CAUSE SHOWN**, the Court hereby orders
3 that the Case Management Conference in the above entitled action set for April 3, 2015, at 10:00 a.m.
4 is hereby continued to May 1, 2015, at 10:00 a.m.; and that the Case Management Conference in the
5 related case *Orlando Rodriguez v. City of San Francisco, et al.*, Case No. C 14-05613 SC is set
6 concurrently on May 1, 2015, at 10:00 a.m.

7 All deadlines associated with the case management conference are continued based on the new
8 case management conference date.

9 **IT IS SO ORDERED.**

10 Dated: 03/13/2015

